

Sixth Appellate District

San Jose, California

MONDAY, SEPTEMBER 29, 2008

H032231 PEOPLE v. VELIZ

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed September 29, 2008

H031682 PEOPLE v. LEE

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)
Filed September 29, 2008

H031787 EBEY v. EBEY

The judgment is affirmed. Costs are awarded to respondent George Ebey. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)
Filed September 29, 2008

H032143 In re Marriage of UFFELMAN

The September 14, 2007 order after hearing re temporary child support and spousal support is affirmed. Costs on appeal are awarded to respondent. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)
Filed September 29, 2008

TUESDAY, SEPTEMBER 30, 2008

H032332 PEOPLE v. WALTON

The judgment is reversed. Since the court erred in finding a violation of section 12020, subdivision (a)(4), the matter is remanded to the trial court for resentencing in light of its other findings. (not published)
(McAdams, J.; We concur: Rushing, P.J., Mihara, J.)
Filed September 30, 2008

H032364 JESSEN v. YEH

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed September 30, 2008

Sixth Appellate District

San Jose, California

Tuesday, September 30, 2008 (continued)

HO31162 PEOPLE v. HOUSTON

The judgment is modified to strike the convictions in counts 2 and 3 for violations of section 240. The conditions of probation are modified to delete the requirement that defendant pay for the cost of preparing the probation report and probation supervision; however, the order pursuant to section 1203.1b, subdivision (a) requiring defendant to pay such costs is affirmed. As modified, the judgment is affirmed. (not published) (McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed September 30, 2008

HO32849 PEOPLE v. HUNWARDSEN

The judgment is affirmed. (not published) (Duffy, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed September 30, 2008

HO31462 MARRIAGE OF ANDRE AND LILIYA WILLIS

The judgment is affirmed. The parties shall bear their own costs on appeal. (not published)

(Elia, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed September 30, 2008

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; Mihara, J.; McAdams, J.; and LaNae Brooks, Deputy Clerk.

HO32438 HERTZ CORPORATION, et al. v. WORKERS COMPENSATION APPEALS BOARD, et al.

Cause called and argued by Robert Succa appearing for Petitioner and by Dennis Olson appearing for Respondents. Cause ordered submitted.

HO31723 PAUL LAUB, et al. v. CONSTANCE DUDLEY

Cause called and argued by Rebecca Connolly appearing for Respondents and by James Anthony Michel appearing for Appellant. Cause ordered submitted.

HO32660 In re CONSTANCE DUDLEY on HABEAES CORPUS

Cause called and argued by James Anthony Michel appearing for Petitioner and by Rebecca Connolly appearing for Real Party in Interest. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Tuesday, September 30, 2008 (continued)

H032472 CONSTANCE DUDLEY v. BRECK TOSTEVIN, et al.

Cause called and argued by Appellant Constance Dudley appearing in propria persona and by Rebecca Connolly appearing for Respondents. Cause ordered submitted.

H030557 RODRIGUEZ v. CITY OF SANTA CLARA CIVIL SERVICE COMMISSION BOARD OF REVIEW, et al.

Cause called and argued by Cepideh Roufougar appearing for Appellants and by Alison Berry Wilkinson appearing for Respondent. Cause ordered submitted.

Court adjourns.

H031730 PEOPLE v. GAETA

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed September 30, 2008

H031406 PEOPLE v. LARA

The judgment is affirmed. (not published)
(Duffy, J.; We concur: Rushing, P.J., McAdams, J.)
Filed September 30, 2008

H031666 PEOPLE v. LUNA

The judgment is affirmed. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed September 30, 2008

H031648 BERNARDI, et al. v. COUNTY OF MONTEREY

The order awarding attorney fees under Government Code section 6259, subdivision (d) is affirmed. Costs on appeal are awarded to respondents. The matter is remanded to the trial court for a determination of the appropriate amount of attorney fees on appeal to be awarded to respondents. (not published)
(Bamattre-Manoukian, J.; We concur: Rushing, P.J., Premo, J.)
Filed September 30, 2008

H031122 DEBERT v. ISAACS, et al.

Plaintiff's appeal from the orders denying her motion to set aside the stipulated judgment and granting Green Mountain's motion for attorney fees is dismissed. The judgment in favor of the Isaacses is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Duffy, J.)
Filed September 30, 2008

Sixth Appellate District

San Jose, California

WEDNESDAY, OCTOBER 1, 2008

The following case is submitted this date:

H032408 PEOPLE v. RANGEL

THURSDAY, OCTOBER 2, 2008

H031795 PEOPLE v. FRANCISCO DOMINGUEZ

H032996 IN RE FRANCISCO DOMINGUEZ ON HABEAS CORPUS

Filed modification of opinion with no change in the judgment. The Attorney General's petition for rehearing is denied. (published)

(Premo, Acting P.J., Elia, J., Bamattre-Manoukian, J.)

Filed October 2, 2008

FRIDAY, OCTOBER 3, 2008

The following case is submitted this date:

H031048 MURGUIA v. MURGUIA

H031617 PEOPLE v. PATEL

The probation order (the judgment) is modified to delete the requirement to pay the costs of probation supervision as a condition of probation and to add the order that defendant pay such costs not to exceed \$64 per month according to his ability to pay. As so modified, the probation order is affirmed. (not published)

(Bamattre-Manoukian, J.; We concur: Elia, Acting P.J., Duffy, J.)

Filed October 3, 2008

H031991 PEOPLE v. SCHMIER

The case is remanded to the trial court to amend the judgment, to delete that portion of the judgment (order granting probation) directing defendant to pay a probation supervision fee as a condition of probation; and to enter a separate order pursuant to section 1203.1b, directing the payment of such a fee. As modified, the judgment is affirmed. (not published)

(Bamattre-Manoukian, J.; We concur: Elia, Acting P.J., Duffy, J.)

Filed October 3, 2008